

REMARKS/ARGUMENTS

Subject to entry of this amendment into the record, claims under prosecution are claims 1-8 and 10-25. Claim 9 is to be canceled on entry of this amendment into the record. It is believed that no new matter has been introduced into the specification nor the claims by the amendments proposed herein.

The amendments to the specification are of editorial nature. The amended claim 1 now calls for a stiffening material on the single crystal substrate, antecedent basis for which appears at bottom of p. 8 of the specification. Also, please note that the original claim 4 recites the step of depositing a stiffening material on the single crystal substrate. The amendments of claim 5 change its dependency from claim 1 to claim 4 and recite that the depositing step of the stiffening material is at a temperature below the splitting temperature of the implanted hydrogen ions.

Some months ago, an initial attempt was made to arrange an interview but it was abandoned and the interview never took place. Some background regarding the interview is believed to be in order. This patent application is under final rejection and it was thought, after conferences with inventors Dr. Kub and Dr. Hobart, that the primary Henley reference was being misinterpreted and an interview would be useful. Since Examiner Foong's name appears on the face of the final rejection and the first office action, she was called numerous times and phone messages were left without any success in contacting her. After contacting Examiner Foong's supervisor, i.e., Examiner Chaudhuri, it was learned that Examiner Foong left PTO and that Primary Examiner Fourson now was in charge of the application. It was Primary Examiner

Fourson who signed the final rejection and the first office action on the last page thereof. An interview was set with Examiner Fourson for 1 PM on Jan. 28, 2004, but had to be canceled because of unavailability of the inventor Dr. Kub. Numerous subsequent attempts to set an interview with Examiner Fourson were unsuccessful, probably due to the impending move early in February, 2004, of the PTO Art Unit to its new location in Alexandria, Virginia.

Returning to the final rejection, it is believed that informalities in claims 5 and 14 have been removed by correcting spelling therein.

Claims 1-4, 7 and 9 stand finally rejected on 35 USC 102(b) as being anticipated by the Henley reference. It is believed that claims 1-4, 7 and 9 are no longer rejectable as being anticipated by the Henley reference since claim 9 is to be canceled on entry of this amendment and claim 1 now recites a stiffening material on the single crystal substrate that contains implantation damage whereas this is not the case in the Henley reference. The Henley reference is not pertinent to the subject matter herein, although this is of no import since this is an anticipation rejection, however, the stiffening material in the claimed subject matter has implantation damage whereas such damage is absent in the corresponding material in the Henley reference. Therefore, it appears that the anticipation rejection is no longer tenable and should be dropped since the Henley reference does not disclose the step of implanting hydrogen ions within a single crystal substrate having a stiffening material with implantation damage prior to implantation.

Claims 5,6 and 8 stand finally rejected on 35 USC 103(a) as being obvious over the Henley reference in view of the Kub reference; claims 10-16, 18,19 and 21-25 stand finally

rejected on 35 USC 103(a) as being obvious over the Henley reference in view of the Lutzen reference, the Kub reference and the Lee reference; and claim 20 stands finally rejected on 35 USC 103(a) as being obvious over the Henley reference in view of the Lutzen reference, the Kub reference, the Lee reference and the Srikrishnan reference. The Henley reference, which is the primary reference in all of these obviousness rejections, pertains to cleavage of an implanted substrate whereas the herein-claimed subject matter pertains to transfer of a thin film to a flexible substrate, please note top of p. 1 and elsewhere in the Henley reference. There is no reason, other than the Examiner's hindsight knowledge of the herein-claimed subject matter, to use the Henley reference in the rejections herein since the obviousness rejections are based on obviousness to a person skilled in the art and a person skilled in the art would not refer to a reference that discusses cleavage of an implanted substrate to find a solution to transferring a thin film onto a flexible substrate. It is only through a fortuitous disclosure at top of col. 13 in the Henley reference that the workpiece 2201 can be of a variety of substrates made of, inter alia, a plastic. In this connection, the Examiner is requested to review the disclosure in lines 10-45 in col. 11 of the Henley reference where reference is made to a workpiece, stiffener, transfer substrate and the temporary disposition of the film on a transfer substrate and its detachment from the substrate.

If item 2201 in the Henley reference is a workpiece, then a workpiece serves as a substrate temporarily and a person skilled in the art would see it as such and would not construe it as a transfer onto a flexible substrate. The inventors herein are Dr. Kub and Dr. Hobart and more than qualify as persons skilled in the art. Both of the inventors herein reject the proposition

that a person skilled in the art would be impelled by the Henley reference to find transfer of a thin film onto a flexible substrate obvious over the primary Henley reference in view of the other secondary references. Following disclosure of the Henley reference would lead a person skilled in the art to a method wherein implantation would impart no damage in the stiffening or a related material whereas here, implantation leaves implantation damage in the stiffening or a related material. The difference in the sequence of steps reflects differences in the principal objectives : here, the objective is transfer of a thin film onto flexible substrate whereas in the Henley reference , the objective is cleavage of an implanted substrate.

Reconsideration and allowance of claims 1-8 and 10-25 is requested for reasons discussed above.

It is hereby petitioned to extend time for reply by two months to March 3, 2004. Please charge our account #50-0281 with \$420.00, or whatever is appropriate, for the extension of time. Please also enter into record this amendment since it will either place this patent application in condition for allowance or will place it in a better condition for appeal. A Notice of Appeal for claims 1-8 and 10-25 is enclosed. Please charge our account #50-0281 with \$330.00, or whatever is appropriate, for the Notice of Appeal.

Sincerely,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being faxed to the PTO on the date shown below.

March 2, 2004
Date

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